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4 Attorney for Defendant  
CODY DOBBS

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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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11 UNITED STATES OF AMERICA,

12 Plaintiff,

CR 06-711 SI

13 v.

EX PARTE MOTION TO  
CONTINUE STATUS DATE

14 CODY DOBBS,

15 Defendant.

Date: December 18, 2006  
Time: 9:30 a.m.  
Mag. Judge Chen

16

TO THE CLERK OF THE ABOVE-ENTITLED COURT AND TO THE UNITED  
17 STATES ATTORNEY FOR THE NORTHERN DISTRICT OF CALIFORNIA:

18 COMES NOW defendant, through counsel, and hereby moves to  
19 continue the status date now set for said date and time before  
20 the Magistrate Judge.

21 In support of said request, counsel declares:

22 I am an attorney licensed to practice in the State of  
23 California and before this court, and I am the attorney for  
24 defendant Cody Dobbs herein.

25 The purpose of the hearing on December 18, 2006, is to  
26 confirm the posting of the property bond in the above-entitled  
27 matter. The property bond has been posted with Magistrate Judge  
28 Nandor Vadas in Eureka, California. However, the appraisal of

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1 the property cannot be accomplished until January 2, 2007, due  
2 to the rural nature of the property and the appraiser's backlog.  
3 The appraiser has informed defendant that the written report  
4 will be completed by January 12, 2007.

5 A continuance is also respectfully requested because  
6 counsel has a sentencing hearing in the Eastern District of  
7 California, Sacramento, in the matter of United States v. David  
8 Harde, CR 06-270 FCD, on December 18, 2006 at 9:00 a.m.

9 Assistant United States Attorney Kirsten Ault has advised  
10 counsel that she opposes any continuance without a court  
11 hearing. Counsel believes it would be in the interests of  
12 justice to vacate the current date of December 18, 2006, and set  
13 a new status date of January 12, 2007. However, if the Court so  
14 requires, the matter can be advanced to December 15, 2006, at  
15 9:30 a.m. Although counsel will not be available on that day,  
16 he can arrange for another attorney to appear, since there is a  
17 status hearing in this matter before District Court Judge Susan  
18 Illston at 11:00 a.m. on that day as well.

19 WHEREFORE, it is respectfully requested that the status  
20 hearing be continued to January 12, 2007; or in the alternative,  
21 advanced to December 15, 2007, for hearing on the motion to  
22 continue.

23 I declare under penalty of perjury that the foregoing is  
24 true and correct, and that this declaration is executed on  
25 December 12, 2006, at San Francisco, California.

26  
27 /s/ J. DAVID NICK  
28 J. DAVID NICK